

Docket No. 520.43142X00
Serial No. 10/644,901
Office Action dated July 3, 2006

REMARKS

I. Introduction

By the present Amendment, claims 11, 13, 15, and 19 have been amended. Claims 20 – 22 are newly presented for consideration. Accordingly, claims 11 - 16 and 19 – 22 are now pending in the application. Claims 11, 13, 15, 19, and 20 are independent.

II. Interview

Applicants would like to thank Examiners Shibru and Tran for the courtesy and cooperation extended at the interview conducted on September 12, 2006. During the interview, independent claims 11, 15, and 20 were discussed with respect to the rejection under 35 U.S.C. §102, as well as the Ando reference. It was further agreed to amend independent claims 11, 13, 19, and 20 to include the word "tangible" in order to avoid a potential rejection under 35 U.S.C. §101. No agreements were reached regarding patentability of any claims. It was agreed, however, that upon initial review the applied references did not appear to disclose the features proposed for amendment in the independent claims. The Examiners indicated that further searching and consideration would be necessary to confirm that the cited references did not disclose these features, and that there were no other references which disclose these features.

III. Rejections under 35 USC §102

In the Office Action of July 3, 2006, claims 11 – 16 and 19 were rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,763,180 issued to Ando, et al. ("Ando"). Regarding this rejection, the Office Action alleges that Ando

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discloses a recording medium that comprises stream files including still pictures, play list files which order the still pictures, and play list marks that correspond to the still pictures. The Office Action further alleged that each play list file includes one or more play items that correspond to still pictures, and that each play list mark is associated with only one corresponding still picture. Applicants respectfully disagree.

As amended, independent claim 11 defines a tangible recording medium on which still picture information is recorded for subsequent reproduction on one or more output devices. The recording medium comprises:

stream files including still pictures;

play list files which order still pictures and background music (BGM) to be played; and

play list marks that correspond to the still pictures;

wherein:

each of said play list files has one or more play items and one or more sub play items,

each of said play items corresponds to one or more still pictures,

each of said play items includes start information indicating a presentation start time for the still picture, end information indicating a presentation end time for a still picture, and a presentation time of the still picture,

each of said sub play items corresponds to a BGM, each of said sub play items includes start information indicating a presentation start time for the BGM, end information indicating a presentation end time for the BGM, and a presentation time of the BGM,

each play list mark is associated with only one corresponding still picture, and

the still pictures of the play items and BGM of the sub play items are independently reproduced on the one or more output devices.

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According to independent claim 11, the recording medium contains stream files that include still pictures, play list files that order the still pictures and background music (BGM) to be played, and play list marks that correspond to the still pictures. Additionally, each play list file has one or more play items and one more sub play items. Each of the play items corresponds to one or more still pictures, and includes start information indicating a presentation start time and end information indicating a presentation end time for a still picture. Each play item also indicates a presentation time of the still picture. Additionally, each of the sub play items correspond to a BGM and includes start information, end information, and presentation time of the BGM. Each play list mark is also associated with only one corresponding still picture. According to the invention of independent claim 11, the still pictures of the play items and the BGM of the sub play items are independently reproduced on the output devices. At least one benefit achieved by the invention of independent claim 11, is the ability to continuously provide background music while reproducing and manipulating the still pictures being displayed on the output device. For example, still pictures can be redisplayed, skipped, etc., without interrupting the background music.

The Office Action alleges that Ando discloses all of the features recited in the claimed invention. As amended, however, independent claim 11 recites features that are not shown or suggested by the art of record. Ando discloses an information storage system capable of recording and playing a plurality of still pictures. Ando provides a program chain (PGC) that indicates video information playback sequence. See column 9, lines 25 – 32. Each PGC can include one or more cells, wherein each cell has one or more still pictures. See Figs 7b and 14d. Each cell in Ando, however, also includes audio information that is specific for each still picture. The

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audio information is associated in a conventional manner wherein each still picture is associated with a single audio file. Ando further provides an ability to link different still pictures to the same VOB, or allow a still picture to be displayed in combination with audio information that belongs to another still picture.

However, each still picture is associated with a corresponding audio file and must be displayed together with the associated audio file. Accordingly, when a still picture is switched, or skipped forward, the accompanying sound information is also switched. Consequently, the background music must be interrupted and a new sound will be played when the next picture is displayed. Ando does not appear to provide any disclosure or suggestion for independently reproducing the still pictures and sound information such that still pictures can be manipulated without interrupting the sound output. Further, the sound output of the claimed invention can be manipulated regardless of the actions being taken with respect to the display of still pictures. In particular, Ando does not appear to provide any disclosure or suggestion for features recited in independent claim 11 such as "the still pictures of the play items and BGM of the sub play items are independently reproduced on the one or more output devices."

It is therefore respectfully submitted that independent claim 11 is allowable over the art of record.

Claim 12 depends from independent claim 11, and is therefore believed allowable for at least the reasons set forth above with respect to independent claim 11. In addition, this claim introduces novel elements that independently render it patentable over the art of record.

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Independent claim 13 defines a recording medium on which still picture information is recordable for reproduction on one or more output devices. The recording medium contains:

stream files including still pictures;

play list files which order still pictures and background music (BGM) to be played; and

play list marks that correspond to the still pictures;

wherein:

each of said play list files has one or more play items and one or more sub play items,

each of said play items corresponds to one or more still pictures, each of said play items includes start information indicating a presentation start time for the still picture, end information indicating a presentation end time for a still picture, and a presentation time of the still picture,

each of said sub play items corresponds to a BGM, each of said sub play items includes start information indicating a presentation start time for the BGM, end information indicating a presentation end time for the BGM, and a presentation time of the BGM,

each play list mark is associated with one corresponding play item and one still picture included in the corresponding play item, and

the still pictures of the play items and BGM of the sub play items are independently reproduced on the one or more output devices.

Similar to independent claim 11 the recording medium of independent claim 13 provides an ability to independently reproduce the pictures of the play items and the BGM of the sub play items on the output devices. As previously discussed with respect to independent claim 11, the art of record does not appear to provide any disclosure for independently controlling the still pictures with respect to the sound.

It is therefore respectfully submitted that independent claim 13 is allowable over the art of record.

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Claim 14 depends from independent claim 13, and is therefore believed allowable for at least the reasons set forth above with respect to independent claim 13. In addition, this claim introduces novel elements that independently render it patentable over the art of record.

Independent claim 15 defines an information reproducing method for reproducing still picture information from a recording medium. The recording medium contains play list marks that correspond to the still pictures, and each play list mark is associated with only one correspond still picture and only one corresponding play list. The method comprises the steps:

detecting said start information and said end information;
controlling said presentation time of said still pictures in accordance with said detected start information and end information; and
independently reproducing the still pictures of the play items and BGM of the sub play items on one or more output devices.

As previously discussed, the cited references do not appear to disclose the claimed feature of independently reproducing the still pictures of the play items and BGM of the sub play items on one or more output devices.

It is therefore respectfully submitted that independent claim 15 is allowable over the art of record.

Claim 16 depends from independent claim 15, and is therefore believed allowable for at least the reasons set forth above with respect to independent claim 15. In addition, this claim introduces novel elements that independently render it patentable over the art of record.

As amended independently claim 19 defines a tangible recording medium that includes, in part:

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each play list mark is associated with only one corresponding still picture, and

the still pictures of the play items and BGM of the sub play items are independently reproduced on the one or more output devices.

Similar to independent claim 11, independent claim 19 also recites the feature that the still pictures of the play items and the BGM of the sub play items are independently reproduced on the one or more output devices. As previously discussed, this particular feature is not disclosed by the art of record.

It is therefore respectfully submitted that independent claim 19 is allowable over the art of record.

Independent claim 20 is newly presented and defines a recording medium on which still picture information is recorded for reproduction on one or more output devices. Similar to independent claim 11, independent claim 20 provides that the still pictures of the play items can be independently reproduced, while the BGM of the sub play item is independently reproduced, on the one or more output devices. In addition, the still pictures and BGM are displayed when the flag for the type of presentation indicates that the sub play item should be played. These features are not disclosed by the art of record.

It is therefore respectfully submitted that independent claim 20 is allowable over the art of record.

Claims 21 and 22 are newly presented, and depend from independent claim 15. Accordingly, these claims are also believed allowable for at least the reasons set forth above with respect to independent claim 15. In addition, these claims each introduce novel elements that independently render them patentable over the art of record.

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IV. Conclusion

For the reasons stated above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a Notice of Allowance is believed in order, and courteously solicited.

If the Examiner believes that there are any matters which can be resolved by way of either a personal or telephone interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

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AUTHORIZATION

Applicants request any shortage or excess in fees in connection with the filing of this paper, including extension of time fees, and for which no other form of payment is offered, be charged or credited to Deposit Account No. 01-2135 (Case: 520.43142X00).

Respectfully submitted,
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